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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/565,237

01/19/2006

Robert Bell

205-22/MBE

9165

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EXAMINER

WILLIAMS, MAURICE L

ART UNIT

PAPER NUMBER

3611

MAIL DATE

DELIVERY MODE

06/19/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/565,237	<b>Applicant(s)</b> BELL, ROBERT	
	<b>Examiner</b> Maurice Williams	<b>Art Unit</b> 3611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-23 is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>01/19/06</u> | 6) <input checked="" type="checkbox"/> Other: <u>Examiner's Appendix</u>                |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (US 5,308,096) in view of Bourbeau (US 6,155,582). Smith discloses

Regarding claim 1,

A multi-purpose tow bar (**28**) for a trailer having a frame mounted on a pair of primary wheels (**22**), comprising:

a first end portion (**A** in Examiner's Appendix) for coupling to the frame in a towing position (**Fig. 5** shows towing position) and for supporting a stabilizing wheel (**52**) in a stabilizing position, and

a second end portion (**B** in Examiner's Appendix) for coupling to a moving vehicle in a towing position (**Fig. 5** shows towing attachment at end of **B**), extending from the first portion at an angle (**Fig. 2**).

The direction of the tow bar is reversed to change from a towing position to a stabilizing position (**Fig. 5** shows direction of rotation of the tow bar to release the stabilizing wheel **52**)

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In the towing position the second end portion extends forwardly of the frame from one side toward a lateral centreline of the frame and suspends a front end of the frame (**Fig. 5**)

In the stabilizing position the first end portion is forward of the frame (**26**) and supports the stabilizing wheel (**52**, stabilizing position with released wheel shown in **Fig. 1**)

Smith does not disclose a tow bar wherein the second end portion couples to the frame. Bourbeau discloses a tow bar (**72**) with a second end portion (**100**), which attaches to the vehicle frame (**Fig. 8**). Therefore it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify Smith as taught by Bourbeau in order to hold the second in portion in a stowed position when not in use.

Regarding claim 3, Smith also discloses a first end portion, which terminates in a tow coupling (**50**).

3. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (US 5,308,096) in view of Bourbeau (US 6,155,582) as applied to claim 1 above, and further in view of Henden et al. (US 4,371,184).

Smith and Bourbeau disclose as discussed above, but do not directly disclose a first end that is substantially longer than the second end portion (**Fig. 1** shows the lower end, first portion, of tow bar **14** is substantially longer than the upper end, second portion). Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify Smith as taught by Bourbeau and Henden in order to provide a shorter distance between the trailer and the towing vehicle.

***Allowable Subject Matter***

4. Claims 4-23 are allowed.

5. The following is a statement of reasons for the indication of allowable subject matter: There was no prior art found on a trailer, or a kit of parts for a trailer, adapted to be supported by a pair of primary wheels in a towing position and by the pair of primary wheels and a stabilizing wheel in a stabilizing position, comprising: a multi-purpose tow bar, comprising a first end portion a second end portion for coupling to a moving vehicle in a towing position and for coupling to the frame in a towing position, extending from the intermediate portion at an angle, and a frame mounted on the pair of primary wheels, having, a first point of attachment adjacent to one of the primary wheels and a second point of attachment generally disposed at a lateral centre of the frame, such that a substantial portion of the first end portion extends generally along a lateral centreline of the frame, and, a third point of attachment adjacent to one of the primary wheels and a fourth point of attachment generally disposed near a front end of one side of the frame, such that the second end portion approaches a lateral centreline of the frame from one side, whereby the direction of the tow bar is reversed and the tow bar is removed from the first and second points of attachment and affixed to the third and fourth points of attachment.


**Conclusion**

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kahmann (628), Paden (875), Bell (577), Capraro (318), Liu (938), and Covington (611) each teach towing attachments for vehicles.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maurice Williams whose telephone number is (571) 272-4263. The examiner can normally be reached on Monday - Friday, 8 a.m. - 5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on (571) 272-6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Maurice Williams  
Examiner  
Art Unit 3611

MLW  
June 9, 2007

  
**LESLEY D. MORRIS**  
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